

JASON A. GELLER (SBN 168149)
 Email: jgeller@fisherphillips.com
 JUAN C. ARANEDA (SBN 213041)
 Email: jaraneda@fisherphillips.com
 VINCENT J. ADAMS (SBN 249696)
 Email: vadams@fisherphillips.com
 FISHER & PHILLIPS LLP
 One Embarcadero Center, Suite 2050
 San Francisco, California 94111
 Telephone: (415) 490-9000
 Facsimile: (415) 490-9001

Attorneys for Defendant
 nextSource, Inc.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

DEMETRIC DI-AZ, OWEN DIAZ, and
 LAMAR PATTERSON,

Plaintiffs,

v.

TESLA, INC. dba TESLA MOTORS, INC.;
 CITISTAFF SOLUTIONS, INC.; WEST
 VALLEY STAFFING GROUP;
 CHARTWELL STAFFING SERVICES,
 INC.; NEXTSOURCE, INC.; DOES 1-50
 inclusive,

Defendants.

Case No: 3:17-CV-06748-WHO
*[Removed from Alameda Superior Court, Case No.
 RG17878854]*

**JOINT STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE TRIAL AND
 TRIAL-RELATED DEADLINES**

Trial Date: November 18, 2019

STIPULATION

Plaintiffs Demetric Di-az and Owen Diaz (collectively “Plaintiffs”), Defendant Tesla, Inc. dba Tesla Motors Inc. (“Tesla”), Defendant CitiStaff Solutions, Inc. (“CitiStaff”), Defendant West Valley Staffing Group (“West Valley”) and Defendant nextSource, Inc. (“nextSource”) hereby stipulate as follows:

WHEREAS, on October 16, 2017, Plaintiffs commenced an action in the Superior Court of the State of California in and for the County of Alameda, naming Tesla, CitiStaff, West Valley, and Chartwell Staffing Services (“Chartwell”) as defendants;

WHEREAS, on November 22, 2017, Tesla removed Plaintiffs’ Complaint to the United States District Court for the Northern District of California based upon Federal Question

1 Jurisdiction under 42 U.S.C. § 1981;

2 **WHEREAS**, on February 6, 2018, Plaintiff Lamar Patterson (“Patterson”), Chartwell, and
3 Defendant Tesla stipulated to submit Patterson’s claims to final and binding arbitration leaving
4 Plaintiffs’ claims against Tesla, CitiStaff, and West Valley to proceed before the United States
5 District Court;

6 **WHEREAS**, on December 20, 2018, Plaintiffs were granted leave to amend their
7 Complaint to add nextSource, Inc., as a defendant based on new information allegedly obtained
8 during the course of ongoing discovery;

9 **WHEREAS**, on December 26, 2018, Plaintiffs filed their Amended Complaint for
10 Damages naming nextSource as a defendant;

11 **WHEREAS**, on February 8, 2019, nextSource filed its Answer to the Amended Complaint
12 and formally appeared in this matter for the first time;

13 **WHEREAS**, given its recent appearance in this action nextSource has sought a stipulation
14 from the other Parties to allow it to fully evaluate all discovery that has taken place, analyze
15 discovery that remains to be taken, complete its discovery and allow sufficient time to file its
16 dispositive motion in this action and prepare for trial;

17 **WHEREAS**, nextSource has not previously sought, nor been a party to any prior request,
18 to continue the trial date in this matter;

19 **NOW THEREFORE**, good cause exists to continue the November 18, 2019 trial date due
20 to nextSource being named as a defendant more than a year after this matter commenced.
21 nextSource has been deprived of participating in prior discovery and settlement discussions among
22 the Parties. To fully evaluate all discovery that has taken place and analyze what discovery remains
23 to be taken, nextSource requests a continuance of the November 18, 2019 trial and all related pre-
24 trial deadlines to allow sufficient time for completing discovery, filing dispositive motions, and
25 preparing for trial.

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Continuing Trial and Pre-Trial Deadlines

WHEREAS, trial in this matter is set for November 18, 2019;

WHEREAS, the current pre-trial scheduled in this matter is as follows:

- June 28, 2019: Fact discovery; expert disclosures due
- July 31, 2019: Rebuttal expert disclosure due
- August 7, 2019: Dispositive motion hearing deadline
- August 7, 2019: Expert discovery cutoff
- October 21, 2019: Pre-Trial Conference

WHEREAS, there has been one continuance in this matter to allow Plaintiffs leave to file their Amended Complaint naming nextSource as a defendant. There have been no trial continuances since nextSource appeared in the action, and nextSource has not previously sought, nor been a party to any prior request, to continue the trial date in this matter.

NOW THEREFORE, the Parties by and through their respective counsel, hereby stipulate and agree, and respectfully request, that the Court issue and order continuing the trial to March 2, 2020, and continuing the Pre-Trial Conference to February 3, 2020 and the pre-trial discovery and dispositive motion deadlines as follows:

- October 11, 2019: Fact discovery; expert disclosures due
- November 15, 2019: Rebuttal expert disclosure due
- November 20, 2019: Dispositive motion hearing deadline
- November 20, 2019: Expert discovery cutoff

IT IS SO STIPULATED.

DATE: June 17, 2019

CALIFORNIA CIVIL RIGHTS LAW GROUP

By: /s/ Lawrence A. Organ

LAWRENCE A. ORGAN

NAVRUZ AVLONI

Attorneys for Plaintiffs

Demetric Di-az and Owen Diaz

DATE: June 17, 2019

SHEPPARD, MULLIN, RICHTER & HAMPTON,
LLP

By: /s/ Tracey A. Kennedy
TRACEY A. KENNEDY
PATRICIA M. JENG
REANNE SWAFFORD-HARRIS
Attorneys for Defendant
Tesla, Inc. dba Tesla Motors, Inc.

DATE: June 17, 2019

PAHL & MCCAY

By: /s/ Fenn C. Horton III
FENN C. HORTON III
HELENE SIMVOULAKOS-PANOS
Attorneys for Defendant
West Valley Staffing Group

DATE: June 17, 2019

LAFAYETTE & KUMAGAI

By: /s/ Cheryl A. Stevens
GARY T. LAFAYETTE
CHERYL A. STEVENS
Attorneys for Defendant
CitiStaff Solutions

DATE: June 17, 2019

FISHER & PHILLIPS LLP

By: /s/ Juan C. Araneda
JASON A. GELLER
JUAN C. ARANEDA
VINCENT J. ADAMS
Attorneys for Defendant
nextSource, Inc.

DECLARATION OF CONSENT

Pursuant to Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from the above-listed counsel for each of the parties above.

/s/ Juan C. Araneda
JUAN C. ARANEDA

ORDER

Based upon the foregoing Stipulation, and for good cause appearing thereon, the Court orders as follows:

1. The trial in this case is continued to March 2, 2020;
2. The Pre-Trial Conference is continued to February 3, 2020;
3. The Pre-Trial deadlines in this case are continued as follows:
 - October 11, 2019: Fact discovery; expert disclosures due
 - November 15, 2019: Rebuttal expert disclosure due
 - November 20, 2019: Dispositive motion hearing deadline
 - November 20, 2019: Expert discovery cutoff

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: June ____, 2019

Hon. William H. Orrick

CERTIFICATE OF SERVICE

I am employed in the County of San Francisco, State of California in the office of a member of the bar of this Court whose direction the following service was made. I am over the age of 18 and am not a party to this action. My business address is One Embarcadero Center, Suite 2050, San Francisco, California.

On June 17, 2019, I served the foregoing document entitled: **JOINT STIPULATION AND ORDER TO CONTINUE TRIAL AND TRIAL-RELATED DEADLINES** on all the appearing and/or interested parties in this action as follows:

Lawrence A. Organ Navruz Avloni California Civil Rights Law Group 332 San Anselmo Avenue San Anselmo, CA 94960	<i>Attorneys for Plaintiffs</i> <i>DEMETRIC DI-AZ, OWEN DIAZ and LAMAR PATTERSON</i> Tel.: (415) 453-4740 Fax: (415) 785-7352 Email: larry@civilrightsca.com navruz@civilrightsca.com
Tracey A. Kennedy Sheppard, Mullin, Richter & Hampton LLP 333 South Hope Street, 43rd Floor Los Angeles, CA 90071	<i>Attorneys for Defendant</i> <i>TESLA, INC. dba TESLA MOTORS, INC.</i> Tel.: (213) 620-1780 Fax: (213) 620-1398 Email: tkennedy@sheppardmullin.com
Patricia M. Jeng Reanne Swafford-Harris Sheppard, Mullin, Richter & Hampton LLP Four Embarcadero Center, 17th Floor San Francisco, CA 94111	<i>Attorneys for Defendant</i> <i>TESLA, INC. dba TESLA MOTORS, INC.</i> Tel.: (415) 434-9100 Fax: (415) 434-3947 Email: pjeng@sheppardmullin.com rswofford-harris@sheppardmullin.com
Gary T. Lafayette Cheryl A. Stevens Lafayette & Kumagai 1300 Clay Street, Suite 810 Oakland, CA 94612	<i>Attorneys for Defendant</i> <i>CITISTAFF SOLUTIONS</i> Tel.: (415) 357-4600 Email: glafayette@lkclaw.com cstevens@lkclaw.com
Fenn C. Horton, III Helene Anastasia Simvoulakis Pahl & McKay 225 West Santa Clara Street, Suite 1500 San Jose, CA 95113	<i>Attorneys for Defendant</i> <i>WEST VALLEY STAFFING GROUP</i> Tel.: (408) 286-5100 Email: fhorton@pahl-mccay.com hsimvoulakis@pahl-mccay.com

Roger M. Mansukhani Craig D. Nickerson Megan L. Hayati Nathan R. Brogden Gordon Rees Scully Mansukhani, LLP 101 W. Broadway, Suite 2000 San Diego, CA 92101	<i>Attorneys for Defendant</i> CHARTWELL STAFFING SERVICES, INC. Tel.: (213) 270-7868 Fax: (619) 696-7124 Email: rmansukhani@grsm.com cnickerson@grsm.com mhayati@grsm.com mbrogden@grsm.com
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☒ **[By Electronic Submission.]** I served the above listed document(s) described via the United States District Court's Electronic Filing Program on the designated recipients via electronic transmission through the CM/ECF system on the Court's website. The Court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document(s). Registration as a CM/ECF user constitutes consent to electronic service through the court's transmission facilities.

☒ **FEDERAL** - I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on June 17, 2019, at San Francisco, California.

/s/ Catherine Schmitz
 Catherine Schmitz